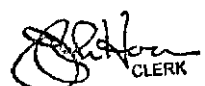


UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

FILED
NOV 16 2006

CLERK

*
UNITED STATES OF AMERICA, * CR 06-32M
*
Plaintiff, *
*
vs. * ORDER CONTINUING
* TRIAL
*
TRUNG QUOC TRAN, *
*
Defendant. *
*

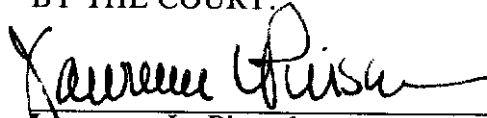
An Order has been entered by the Court allowing for a mental competency examination of the Defendant pursuant to 18 U.S.C. § 4241(a) and § 4242(a) in order to complete the testing and examination necessary to develop a history, diagnosis and opinion. The trial date currently scheduled in this matter is November 21, 2006, which falls within the fifty (50) day time period during which the mental examination will take place and the evaluation report will be completed and forwarded to the Court. After due consideration, the Court finds that the trial must be continued to allow completion of the mental examination and any further preparation needed by counsel. The Court further finds that failure to continue the trial would deny the public interest in bringing this case to trial in an orderly fashion, and that the ends of justice served by continuing this trial outweigh the best interests of the public and the Defendant in a speedy trial. For all of those reasons,

IT IS ORDERED:

1. That the trial currently scheduled for November 21, 2006, is continued and a new date for trial will be scheduled once the mental competency examination has been completed.
2. That the period of delay resulting from such continuance is excluded in computing the time within which the trial of the offense for the Defendant must commence, as the Court finds that the ends of justice served by taking such action outweigh the best interests of the public and the Defendant in a speedy trial. 18 U.S.C. § 3161(h)(1)(A) and § 3161(h)(8)(A).

Dated this 16th day of November, 2006.

BY THE COURT:



Lawrence L. Piersol
United States District Judge

ATTEST:
JOSEPH HAAS, CLERK

BY: Shelly Margulies
Deputy